App. F. IX-4

1940

193 .

( )

Courts

File No. 60-40

Serial Nos. 3

Previous References

Ch. 60-40 (1-2)
" 15-34 (3+8)
" 106-38 (6,9-12)

Later References.

Ch. 202-40 (1-3)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One only

Part B for October 1940.

SUBJECT.

Corrigenda re Substitution of words "The Additional Subordinate Judge, Mysore" for "The Addl Subordinate Judge of the Subordinate Judge's Court Mysore" in Govt Notfn No. P. 1610/Ch 60-40-2.

Kind refernece is invitedato Govt. Notificat. on dated 17th September 1940 in regard to the appointment of the Additional Subordinate Judge, Mysore as Special Judicial Officer to deal with Land Acquisition cases. The words the Additional Subordinate Judge of the Subordinate Judge's Court" were employed in the draft of the notification referred to above following the procedure adopted on a former occasion on which the Additional Subordinate Judge, Bangalore was appointed likewise to deal with Land Acquisition cases. The latter notification was drafted by the High Court and the same words were also employed ~~in the notification~~ dated ~~18~~ 17th September 1940 mentioned above. In this case the High Court did not forward to Government any draft and as such the draft notification relating to the appointment of Additional Subordinate, Judge, Mysore, was drafted on the same lines as that of the one relating to Bangalore Court

The Registrar, High Court suggested informally that the words "of the Subordinate Judges Court, Mysore" in the notification dated 17th September 1940 might be omitted and this office was asked to look into the matter as to the necessity or otherwise of issuing a corrigenda omitting the words referred to above.

It is submitted that on reference to the Govt. Notification dated 4th August 1934 it can be seen that the Additional Subordinate Judge at Mysore has been empowered to exercise jurisdiction to try such of the original suits as might be transferred to him from the file of the Subordinate Judges Court, Mysore or under the orders of the District Judge, Mysore It is a point for consideration as to whether the above mentioned notification dated 4-8-1934 cannot be construed as treating

the post of Additional Subordinate Judge Mysore as the Additional Subordinate Judge of the Subordinate Judges Court at the place under the Civil Courts Act. Kind reference is also invited to Section 4B. of the Civil Courts Act regarding the appointment of Additional Officers to the courts.

It is a point for orders as to whether any corrigenda need issue omitting the words of the Subordinate Judges Courts'

Submitted

CBM 5/10

A draft of a Notification is also put up as directed

CBM 8/10

No. P 2124 & 28.10.40

Cb 60-40-3

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

Corrigenda

For the Words "the Additional Subordinate Judge of the Subordinate Judge's Court Mysore" occurring in Govt Notification No P 1610 / Cts 60-40-2 Dt 17.9.1940 substitute the Words "the Additional Subordinate Judge Mysore"

By Order

Hm 2 25.10.40

Secretary to Govt Law Depr

To

The Compiler Mysore Gazette for publication

No. P 2125 & 28/10/40

Copy to (1) The Registrar High Court

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No. P.2124
Ct. 60-40-3

General and Revenue Secretariat,

Dated Bangalore 28th October, 1940

NOTIFICATION.

C O R R I G E N D A.

For the words "the Additional Subordinate Judge or the Subordinate Judge's Court Mysore" occurring in Government Notification No.P.1610/Cts.60-40-2 dated 17th September 1940, substitute the words "the Additional Subordinate Judge Mysore"

By order

Secretary to Government
Law Department

To

The Compiler, Mysore Gazette, Bangalore, for publication.